

**SENATE JOURNAL
66TH LEGISLATURE
FIFTY-NINTH LEGISLATIVE DAY**

Helena, Montana
March 22, 2019

Senate Chambers
State Capitol

Senate convened at 1:00 p.m. President Sales presiding. Invocation by Senator Flowers. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS AND JOURNALS (Keenan, Chair): 3/22/2019

Correctly printed: **SB 239, SB 326, SB 346, SB 347, SR 46, HB 132, HB 229, HB 234, HB 274, HB 282, HB 297, HB 325, HB 351, HB 357, HB 387, HB 388, HB 505, HB 518, HB 529, HB 537, HB 581, HB 619, HB 624.**

Correctly engrossed: **SB 331, HB 268, HB 344, HB 523.**

Correctly enrolled: **SB 59, SB 84, SB 85, SB 248, SB 260, SR 17, SR 18, SR 19.**

Examined by the sponsor and found to be correct: **SB 72, SB 144, SB 207.**

Transmitted to the House: **HB 237, HB 422, HB 436, HB 444.**

REPORTS OF STANDING COMMITTEES

BUSINESS, LABOR, AND ECONOMIC AFFAIRS (Fitzpatrick, Chair): 3/22/2019

SB 325, introduced bill, be amended as follows:

1. Title, page 2, line 4.

Strike: "AND"

2. Title, page 2, line 21.

Following: "MCA"

Insert: "; AND PROVIDING A DELAYED EFFECTIVE DATE"

3. Page 3, line 24.

Following: "filing"

Strike: ". Delivery may be made"

4. Page 3, line 25 through line 27.

Following: "electronic transmission"

Strike: remainder of line 25 through "document" on line 27

Insert: ". The secretary of state may authorize exceptions to the requirement of filing documents by electronic transmission"

5. Page 7, line 2.

Strike: "5"

Insert: "10"

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6. Page 15, line 23.

Following: "subsection (10)."

Insert: "A corporation that files documents with the office of the secretary of state under [sections 1 through 221] is considered to have given its irrevocable consent to delivery of notices or other communications by the office of the secretary of state to the corporation by electronic transmission."

7. Page 35, line 30 through page 36, line 1.

Strike: ":" on page 35, line 30 through "(a)" on page 36, line 1

8. Page 36, line 1.

Following: "registered office"

Strike: ", which may be the same as any of its places of business;"

9. Page 36, line 2.

Strike: "(b)"

10. Page 36, line 2 through line 6.

Following: "registered agent" on line 2

Strike: remainder of line 2 through "business in this state" on line 6

Insert: "in compliance with Title 35, chapter 7"

11. Page 36, line 10.

Strike: "(1)"

12. Page 36, line 11 through line 26.

Following: "registered agent" on line 11

Strike: remainder of line 11 through "notified of the change" on line 26

Insert: "in compliance with Title 35, chapter 7"

13. Page 36, line 28.

Strike: "(1)"

14. Page 36, line 29 through page 37, line 15.

Following: "corporation" on line 29

Strike: remainder of line 29 on page 36 through "standing" on page 37, line 15

Insert: "in compliance with Title 35, chapter 7"

15. Page 76, line 30.

Following: "the care that a person in a"

Strike: "similar"

Insert: "like"

16. Page 80, line 18.

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Following: "(b) with the care that a person in a"

Strike: "similar"

Insert: "like"

17. Page 83, line 18.

Following: "believed to be in the"

Strike: "best"

18. Page 85, line 8 through line 9.

Strike: ":", on line 8 through "(i)" on line 9

19. Page 85, line 9.

Strike: ":",

20. Page 85, line 10.

Strike: "(ii)"

Following: "even if"

Insert: ", in either case,"

21. Page 149, line 17.

Strike: "taxes,"

22. Page 149, line 19.

Strike: "60"

Insert: "120"

23. Page 149, line 27 through line 28.

Strike: "If the" on line 27 through "determines that" on line 28

Insert: "On or before September 1 of each year, the secretary of state shall compile a list of corporations for which"

24. Page 149, line 28.

Following: "dissolving a corporation,"

Insert: "and"

25. Page 150, line 18.

Following: "have been eliminated;"

Insert: "and"

26. Page 150, line 19 through line 21.

Following: "[section 39]"

Strike: remainder of line 19 through "paid" on line 21

Following: line 21

Insert: "(2) The corporation shall submit with its application for reinstatement:

(a) a certificate from the department of revenue stating that all taxes imposed pursuant to

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Title 15 have been paid;

(b) a filing fee, which must be set and deposited by the secretary of state in accordance with 2-15-405; and

(c) all annual reports not yet filed with the secretary of state and related fees and penalties."

Renumber: subsequent subsections

27. Page 150, line 22.

Following: "information"

Insert: ", documents, and fees"

28. Page 150, line 23.

Strike: "subsection (1)"

Insert: "subsections (1) and (2)"

Following: "information"

Strike: "is"

Insert: ", documents, and fees are complete and"

29. Page 156, line 19.

Following: "(3)"

Strike: "The"

Insert: "Except as provided in subsection (4), the"

30. Page 156, line 21.

Following: line 20

Insert: "(4) A contract between the state of Montana, an agency of the state, or a political subdivision of the state and a foreign corporation that has failed to register to do business as required under [section 207(4)] is voidable by the state, the contracting state agency, or the contracting political subdivision."

Renumber: subsequent subsections

31. Page 158, line 7.

Following: "isolated transaction that"

Insert: "is completed within 30 days and that"

Strike: "similar"

Insert: "repeated"

Following: "transactions"

Insert: "of a similar nature"

32. Page 158, line 13.

Following: line 12

Insert: "(4) A foreign corporation is transacting business within the meaning of subsection (1) if it enters into a contract, including a contract entered into pursuant to Title 18, with the state of Montana, an agency of the state, or a political subdivision of the state and must register to do business under [sections 203 through 214] before entering into the contract. This

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subsection does not apply to contracts for goods fully prepared or services fully performed out of state for delivery or use in this state."

33. Page 161, line 23.

Strike: "60"

Insert: "120"

34. Page 161, line 30 through page 162, line 3.

Strike: subsection (2) in its entirety

Insert: "(2) On or before September 1 of each year, the secretary of state shall compile a list of registered foreign corporations for which one or more grounds exist under subsection (1) for terminating its registration and shall serve the registered foreign corporation with written notice of the determination under [section 45]."

35. Page 162, line 4.

Following: "(3)"

Insert: "If the registered foreign corporation does not correct each ground for termination or demonstrate to the reasonable satisfaction of the secretary of state that each ground for termination determined by the secretary of state does not exist within 60 days after the notice is delivered, the secretary of state may terminate the registration of a registered foreign corporation by issuing a certificate of termination."

36. Page 162, line 4 through line 5.

Strike: ":" on line 4 through "(a)" on line 5

37. Page 162, line 5.

Strike: "90"

Insert: "60"

38. Page 162, line 6.

Strike: "copy of the certificate of termination"

Insert: "notice"

39. Page 162, line 6 through line 7.

Following: "subsection (2)(b)" on line 6

Strike: remainder of line 6 through "subsection (1)" on line 7

40. Page 162, line 9 through line 11.

Following: "certificate of termination" on line 9

Strike: "unless before" on line 9 through "withdrawn" on line 11

41. Page 168, line 22 through line 25.

Following: "in writing" on line 22

Strike: "and return" on line 22 through "timely filed" on line 25

Insert: ". The corrected report must be filed by April 15 to be considered timely filed"

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42. Page 219, line 24.

Following: line 23

Insert: NEW SECTION. **Section 274. Effective date.** [This act] is effective June 1, 2020."

Renumber: subsequent sections

And, as amended, do pass.

SB 330, introduced bill, be amended as follows:

1. Title, page 1, line 14.

Strike: "23-5-157,"

2. Page 1, line 19.

Strike: "19"

Insert: "18"

3. Page 1, line 23.

Strike: "19"

Insert: "18"

4. Page 2, line 9.

Strike: "19"

Insert: "18"

5. Page 2, line 21.

Strike: "15"

Insert: "14"

6. Page 3, line 12.

Strike: "16"

Insert: "15"

7. Page 3, line 24.

Strike: "activity"

Insert: "operator"

8. Page 3, line 25.

Strike: "activity"

Insert: "operator"

9. Page 3, line 29.

Strike: "activity"

Insert: "operator"

10. Page 3, line 30.

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Strike: "activity"
Insert: "operator"

11. Page 4, line 2.
Strike: "19"
Insert: "18"

12. Page 4, line 8.
Strike: "19"
Insert: "18"

13. Page 4, line 9.
Strike: "19"
Insert: "18"

14. Page 4, line 10.
Strike: "19"
Insert: "18"

15. Page 4, line 11.
Strike: "19"
Insert: "18"

16. Page 4, line 28.
Strike: "activity"
Insert: "operator"

17. Page 5, line 5 through line 7.
Following: "licensee" on line 5
Strike: remainder of line 5 through "investigations" on line 7
Insert: "or another law enforcement or regulatory agency"

18. Page 5, line 14.
Strike: "19"
Insert: "18"

19. Page 5, line 15.
Strike: "16"
Insert: "15"

20. Page 5, line 16.
Strike: "19"
Insert: "18"
Following: "rule by"
Insert: "criminal or"

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21. Page 5, line 25.

Strike: "19"

Insert: "18"

22. Page 5, line 27.

Strike: "19"

Insert: "18"

23. Page 6, line 4.

Strike: "as provided in [section 14]"

24. Page 6, line 10.

Strike: "19"

Insert: "18"

25. Page 6, line 14.

Strike: "19"

Insert: "18"

26. Page 6, line 16.

Strike: "or"

Insert: ", "

Following: "collegiate"

Insert: ", electronic sports, or olympic"

27. Page 7, line 8.

Strike: "19"

Insert: "18"

28. Page 7, line 9.

Strike: "19"

Insert: "18"

29. Page 7, line 10.

Strike: "19"

Insert: "18"

30. Page 7, line 13.

Strike: "19"

Insert: "18"

31. Page 7, line 21.

Strike: "19"

Insert: "18"

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32. Page 8, line 12.

Strike: "19"

Insert: "18"

33. Page 8, line 14.

Strike: "19"

Insert: "18"

34. Page 8, line 26 through line 27.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

35. Page 10, line 13.

Strike: "activity"

Insert: "operator"

36. Page 12, line 4.

Strike: "19"

Insert: "18"

37. Page 12, line 14 through line 16.

Strike: section 14 in its entirety

Renumber: subsequent sections

38. Page 12, line 27.

Following: "communication to the department"

Insert: "within"

39. Page 13, line 11.

Strike: "19"

Insert: "18"

40. Page 13, line 16.

Strike: "19"

Insert: "18"

41. Page 16, line 2.

Strike: "19"

Insert: "18"

42. Page 16, line 4.

Strike: "19"

Insert: "18"

43. Page 16, line 7.

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Strike: "19"

Insert: "18"

44. Page 16, line 14.

Strike: "19"

Insert: "18"

45. Page 16, line 20.

Strike: "19"

Insert: "18"

46. Page 19, line 25.

Strike: "19"

Insert: "18"

47. Page 19, line 29 through page 20, line 3.

Strike: subsection (22) in its entirety

Renumber: subsequent subsections

48. Page 20, line 10.

Following: "sportsbook operator,"

Insert: "platform operator, associated gambling business,"

49. Page 21, line 6.

Strike: "19"

Insert: "18"

50. Page 21, line 9.

Strike: "19"

Insert: "18"

51. Page 22, line 24.

Strike: "19"

Insert: "18"

52. Page 23, line 5.

Strike: "19"

Insert: "18"

53. Page 23, line 20.

Strike: "19"

Insert: "18"

54. Page 23, line 22.

Strike: "19"

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Insert: "18"

55. Page 24, line 4.

Strike: "19"

Insert: "18"

56. Page 24, line 10.

Strike: "19"

Insert: "18"

57. Page 24, line 15.

Strike: "19"

Insert: "18"

58. Page 25, line 5.

Strike: "19"

Insert: "18"

59. Page 26, line 20.

Strike: "19"

Insert: "18"

60. Page 26, line 28.

Strike: "19"

Insert: "18"

61. Page 27, line 6.

Strike: "19"

Insert: "18"

62. Page 27, line 10.

Strike: "19"

Insert: "18"

63. Page 27, line 13.

Strike: "19"

Insert: "18"

64. Page 27, line 18.

Strike: "19"

Insert: "18"

65. Page 29, line 7.

Strike: "machine"

Insert: "kiosk"

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66. Page 29, line 13.

Strike: "19"

Insert: "18"

67. Page 30, line 15.

Strike: "19"

Insert: "18"

68. Page 30, line 20 through page 31, line 10.

Strike: section 35 in its entirety

Renumber: subsequent sections

69. Page 31, line 14.

Strike: "19"

Insert: "18"

70. Page 31, line 21.

Strike: "19"

Insert: "18"

71. Page 31, line 27.

Strike: "19"

Insert: "18"

72. Page 31, line 30.

Strike: "19"

Insert: "30"

73. Page 32, line 1.

Strike: "19"

Insert: "18"

74. Page 32, line 5.

Strike: "19"

Insert: "18"

75. Page 33, line 23.

Strike: "19"

Insert: "18"

76. Page 33, line 25.

Strike: "19"

Insert: "18"

And, as amended, do pass.

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SB 335, do pass.
SR 43, be adopted.

ENERGY AND TELECOMMUNICATIONS (Ankney, Chair):
SB 331, introduced bill, be amended as follows:

3/21/2019

1. Page 2, line 7.

Following: "resources"

Insert: "-- definitions"

2. Page 2, line 8.

Following: "utility's"

Insert: "prudently incurred"

3. Page 2, line 10.

Following: "30 years."

Insert: "Retirement before the expected life used for depreciation purposes must be approved by the public service commission."

4. Page 2, line 11.

Strike: "'coal-fired generating unit'"

Insert: "the following definitions apply:"
(a) "Coal-fired generating unit"

5. Page 2, line 13.

Strike: "on or before [the effective date of this act]"

Following: line 13

Insert: "(b) "Costs" means capital investments for environmental, regulatory, and safety compliance and reliability."

6. Page 2, line 15.

Following: "units"

Insert: "and transmission resources"

7. Page 2, line 16.

Following: "(1)(d)"

Insert: "and subject to the conditions and limitations of this section"

8. Page 2, line 18.

Following: "150 megawatts"

Strike: "and" through "section"

Insert: ", and the investment in any interconnected transmission facilities of 500 kilovolts or more, not to exceed book value"

9. Page 2, line 22.

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Strike: "Operational, maintenance, repair, or improvement costs"

Insert: "Costs"

10. Page 2, line 24.

Strike: "Operational, maintenance, repair, or improvement costs"

Insert: "Costs"

And, as amended, do pass.

HIGHWAYS AND TRANSPORTATION (Vance, Chair):
HB 285, be concurred in.

3/21/2019

JUDICIARY (Regier, Chair):
SJ 18, do pass..

3/22/2019

Without objection, committee reports were adopted.

MESSAGES FROM THE GOVERNOR

March 21, 2019

Senator Scott Sales, President
Montana Senate
Capitol Building
Helena, MT 59601

Dear President Sales:

On Thursday, March 21, 2019, I signed the following bills:

Senate Bill 56 -- Ellis

Senate Bill 57 -- Ellis

Senate Bill 83 -- Fitzpatrick

Senate Bill 91 -- Salomon

Senate Bill 137 -- Hinebauch

Sincerely,

STEVE BULLOCK
Governor

MESSAGES FROM THE OTHER HOUSE

Senate bills concurred in and returned to the Senate:

3/21/2019

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SB 36, introduced by M. MacDonald
SB 59, introduced by E. McClafferty
SB 61, introduced by M. MacDonald
SB 82, introduced by S. Fitzpatrick
SB 84, introduced by S. Fitzpatrick
SB 85, introduced by S. Fitzpatrick
SB 248, introduced by J. Cohenour
SB 260, introduced by S. Malek

House bills passed and transmitted to the Senate for concurrence:

3/21/2019

HB 2, introduced by N. Ballance
HB 403, introduced by B. Usher
HB 507, introduced by E. Buttrey
HB 629, introduced by D. Hayman

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 348, introduced by K. Regier, referred to Judiciary.
SB 349, introduced by J. Cohenour, C. Boland, J. Ellis, T. Jacobson, E. McClafferty, J. Pomnichowski, referred to Fish and Game.
SB 351, introduced by J. Ellsworth, referred to Business, Labor, and Economic Affairs.

The following Senate bills were introduced and read first time:

SB 350, introduced by J. Cohenour, J. Welborn.
SB 352, introduced by F. Thomas, B. Tschida.

The following Senate bills, previously introduced, were referred to committees:

SB 346, introduced by S. Fitzpatrick, referred to Highways and Transportation.
SB 347, introduced by R. Webb, referred to Business, Labor, and Economic Affairs.

The following Senate resolutions were introduced, read first time, and referred to committees:

SR 47, introduced by D. Salomon, referred to Education and Cultural Resources.
SR 48, introduced by J. Fielder, referred to Fish and Game.

The following House bills were introduced, read first time, and referred to committees:

HB 2, introduced by N. Ballance (by request of the Office of Budget and Program Planning), referred to Finance and Claims.

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HB 403, introduced by B. Usher, referred to Energy and Telecommunications.

HB 507, introduced by E. Buttrey, M. Blasdel, R. Lynch, J. Sesso, J. Small, referred to Taxation.

HB 629, introduced by D. Hayman, J. Hamilton, K. Kelker, C. Keogh, referred to Highways and Transportation.

The following House bill, previously introduced, was referred to committee:

HB 414, introduced by J. Karjala, J. Bachmeier, W. Curdy, G. Custer, K. Dudik, R. Farris-Olsen, M. Funk, J. Hamilton, D. Harvey, K. Kelker, C. Keogh, J. Krautter, R. Lynch, S. Morigeau, R. Peppers, Z. Perry, G. Pierson, T. Runningwolf, C. Schreiner, R. Shaw, P. Webb, T. Winter, T. Woods, referred to Education and Cultural Resources.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Sands in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 317 - Senator Lang moved **SB 317** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 49

Nays: Brown.

Total 1

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 318 - Senator R. Webb moved **SB 318** do pass. Motion carried as follows:

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Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 320 - Senator Salomon moved **SB 320** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 48

Nays: Esp, Phillips.

Total 2

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 46 - House Amendments - Senator Cohenour moved House amendments to **SB 46** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally,

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Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SR 26 - Senator Fielder moved that the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 26**. Resolution adopted as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 327 - Senator Olszewski moved **HB 327** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

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Total 46

Nays: Ellis, Gross, McConnell, Pomnichowski.

Total 4

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 520 - Senator Gillespie moved **HB 520** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 48

Nays: Ellis, Pomnichowski.

Total 2

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 586 - Majority Leader Thomas moved consideration of **HB 586** be passed for the day. Without objection, so ordered.

HB 243 - Senator Lang moved **HB 243** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 49

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Nays: Brown.

Total 1

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 275 - Senator Cohenour moved **HB 275** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 173 - Senator Gauthier moved **SB 173** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Boland, Cohenour, Ellis, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Richmond, Sands, Sesso, Small, Smith F, Vuckovich, Webber, Welborn.

Total 28

Nays: Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Hinebauch, Howard, Kary, Keenan, Lang, Olszewski, Osmundson, Regier, Salomon, Smith C, Tempel, Thomas, Vance, Webb, Mr President.

Total 22

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Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 386 - Senator Hoven moved **HB 386** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Thomas moved the committee **rise and report**. Motion carried. Committee arose. Senate resumed. President Sales presiding.

Senator Sands moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

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Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Minority Leader Sesso arose for the purpose of an introduction and welcomed soldiers and airmen of the Montana National Guard, along with former members of the Guard and military suppliers, to the Senate.

MOTIONS

Majority Leader Thomas moved that **HB 520**, heard on second reading this date, be re-referred to the Finance and Claims Committee. Without objection, so ordered.

Senator Ankney moved that **HB 129** be taken from the State Administration Committee and placed on second reading on Monday, March 25, the sixty-first legislative day. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Bogner, Boland, Cohenour, Ellis, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Vuckovich, Webber, Welborn.

Total 32

Nays: Blasdel, Brown, Cuffe, Ellsworth, Esp, Fielder, Hinebauch, Howard, Kary, Keenan, Olszewski, Osmundson, Regier, Smith C, Thomas, Vance, Webb, Mr President.

Total 18

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Thomas moved that **HB 535** be taken from the Judiciary Committee and re-referred to the Energy and Telecommunications Committee. Without objection, so ordered.

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THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 132 concurred in as follows:

Yeas: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Tempel, Thomas, Vance, Webb, Welborn, Mr President.
Total 30

Nays: Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, Gross, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Webber.
Total 20

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 229 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.
Total 50

Nays: None.
Total 0

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

HB 388 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 619 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vuckovich, Webb, Webber, Mr President.

Total 45

Nays: Brown, Hinebauch, Howard, Vance, Welborn.

Total 5

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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ANNOUNCEMENTS

President Sales announced the Senate would not meet in floor session Tuesday, March 26, 2019. Instead, the Finance and Claims Committee will meet through the day and remaining Senators are encouraged to attend a briefing on **HB 2** presented by Legislative Fiscal Division staff members at 1:00 p.m. in the Senate chambers.

Committee meetings were announced by the committee chairs.

Majority Leader Thomas moved the Senate adjourn until 9:00 a.m. Saturday, March 23, 2019, the sixtieth legislative day. Motion carried.

Senate adjourned at 2:19 p.m.

MARILYN MILLER
Secretary of the Senate

SCOTT SALES
President of the Senate